

## PCT

### NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Assistant Commissioner for Patents  
United States Patent and Trademark  
Office  
Box PCT  
Washington, D.C. 20231  
ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing: <div style="text-align: center;">24 August 2000 (24.08.00)</div>	
International application No.: <div style="text-align: center;">PCT/US00/04082</div>	Applicant's or agent's file reference: <div style="text-align: center;">CM2038/JB</div>
International filing date: <div style="text-align: center;">17 February 2000 (17.02.00)</div>	Priority date: <div style="text-align: center;">19 February 1999 (19.02.99)</div>
Applicant: <div style="text-align: center;">BELL, Michael, David et al</div>	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International preliminary Examining Authority on:  

17 July 2000 (17.07.00)

☐ in a notice effecting later election filed with the International Bureau on:  

\_\_\_\_\_

2. The election ☒ was

☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

<p style="text-align: center;">The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland</p> <p>Facsimile No.: (41-22) 740.14.35</p>	<p>Authorized officer:</p> <p style="text-align: center;">J. Zahra</p> <p>Telephone No.: (41-22) 338.83.38</p>
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(19) World Intellectual Property Organization  
International Bureau



(43) International Publication Date  
24 August 2000 (24.08.2000)

PCT

(10) International Publication Number  
**WO 00/48555 A3**

(51) International Patent Classification<sup>7</sup>: **A61K 7/48**  
(21) International Application Number: **PCT/US00/04082**  
(22) International Filing Date: 17 February 2000 (17.02.2000)  
(25) Filing Language: **English**  
(26) Publication Language: **English**  
(30) Priority Data:  
9903925.7 19 February 1999 (19.02.1999) **GB**  
(71) Applicant (for all designated States except US): **THE PROCTER & GAMBLE COMPANY [US/US]**; One Procter & Gamble Plaza, Cincinnati, OH 45202 (US).

(81) Designated States (national): AE, AL, AM, AT, AT (utility model), AU, AZ, BA, BB, BG, BR, BY, CA, CH, CN, CR, CU, CZ, CZ (utility model), DE, DE (utility model), DK, DK (utility model), DM, EE, EE (utility model), ES, FI, FI (utility model), GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SK (utility model), SL, TJ, TM, TR, TT, TZ, UA, UG, US, UZ, VN, YU, ZA, ZW.  
(84) Designated States (regional): ARIPO patent (GH, GM, KE, LS, MW, SD, SL, SZ, TZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).

**Published:**

— With international search report.

(88) Date of publication of the international search report:  
11 January 2001

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

(72) Inventors; and  
(75) Inventors/Applicants (for US only): **BELL, Michael, David [GB/GB]**; 61 Masefield Gardens, Crowthorne, Berkshire RG45 7QS (GB). **ROLLS, Richard, George, Albert [CA/GB]**; 4 Bison Court, 30 Hounslow Road, Feltham TW14 9DD (GB). **ELLIOTT, Russell, Philip [GB/GB]**; 14 Nobles Way, Egham, Surrey TW20 9RJ (GB). **DUKE, Roland, Philip [GB/GB]**; 15 Camellia Way, Wokingham, Berks RG41 3NB (GB).  
(74) Agents: **REED, T., David, et al.**; The Procter & Gamble Company, 5299 Spring Grove Avenue, Cincinnati, OH 45217-1087 (US).

(54) Title: **LEAVE-ON COSMETIC COMPOSITIONS CONTAINING A CATIONIC POLYMER**

(57) Abstract: A leave-on cosmetic composition suitable for topical application to the skin comprising: a) a polymeric thickening agent selected from non-ionic and anionic thickening agents, or mixtures thereof, having a number average molecular weight of greater than 20,000 and; b) a cation containing polymer, or mixtures thereof wherein said composition comprises less than 4 % of an anionic, zwitterionic, or amphoteric surfactant. The compositions of the invention display low levels of tack, as well as good rheological, absorption and insulation properties, in addition to skin feel, skin softness and skin smoothness benefits.

WO 00/48555 A3

# INTERNATIONAL SEARCH REPORT

Inte : Application No

PCT/US 00/04082

**A. CLASSIFICATION OF SUBJECT MATTER**  
IPC 7 A61K7/48

According to International Patent Classification (IPC) or to both national classification and IPC

**B. FIELDS SEARCHED**

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, CHEM ABS Data, WPI Data, PAJ

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
P,X	WO 00 06093 A (MCCANN CHANTELE MARY ;YOUNG WENDY VICTORIA JANE (GB); MCKELVEY GR) 10 February 2000 (2000-02-10) page 6, last paragraph page 28, last paragraph examples III,IV claims 1,3,6	1-8,10, 12-16
X	WO 96 03967 A (PROCTER & GAMBLE ;JONES STEVAN DAVID (GB); MARCHANT PHILIP JOHN (G) 15 February 1996 (1996-02-15) page 2, paragraph 2 claims 1,7,12; examples I,II,III	1-7,10, 12,14-16
X	DE 197 27 508 A (SCHWARZKOPF GMBH HANS) 8 January 1998 (1998-01-08)  examples 4.1,,4.2	1-3, 5-10,12, 14,16
	-/-	

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

\* Special categories of cited documents :

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

- \*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- \*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- \*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- \*&\* document member of the same patent family

Date of the actual completion of the international search

11 August 2000

Date of mailing of the international search report

24/08/2000

Name and mailing address of the ISA

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NL - 2280 HV Rijswijk  
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,  
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Authorized officer

Sierra Gonzalez, M

# INTERNATIONAL SEARCH REPORT

Int. Application No.

PCT/US 00/04082

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	FR 2 701 844 A (OREAL) 2 September 1994 (1994-09-02)  examples 6,10,13	1,2,4,6, 7,10,12, 14,16
X	DATABASE PROMT 'Online! STN; AN 92:300040, MARY T. CLARKE: "Water-soluble Cellulose Ethers for Hair Care Products." XP002143416 page 4	1,2,6,7, 10,12, 14,16

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.2

Claims Nos.: 1-16

Present claims 1-16 relate to an extremely large number of possible compositions: the definitions of "non-ionic or anionic thickening agent" on one hand and "cation containing polymer" encompass a huge number of compounds. Support within the meaning of Article 6 PCT and disclosure within the meaning of Article 5 PCT is to be found, however, for only a very small proportion of the compositions claimed. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. Consequently, the search has been carried out for those parts of the claims which appear to be supported and disclosed, namely examples I to VI with due regard to the general idea underlying the description.

Furthermore, present claims 1-16 relate to a composition defined (inter alia) by the following parameter:

P1: average molecular weight of non-ionic or anionic thickening agent, being greater than 20.000

The use of this parameter in the present context is considered to lead to a lack of clarity within the meaning of Article 6 PCT. It is not always possible to compare the parameter the applicant has chosen to employ with what is set out in the prior art. The lack of clarity is such as to render a meaningful complete search impossible. Consequently, the search has been restricted to compounds mentioned in examples I to VI with due regard to the general idea underlying the description.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

# INTERNATIONAL SEARCH REPORT

information on patent family members

Inte application No

PCT/US 00/04082

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 0006093 A	10-02-2000	AU 3359199 A AU 8760598 A WO 0006102 A	21-02-2000 21-02-2000 10-02-2000
WO 9603967 A	15-02-1996	EP 0768864 A JP 10503514 T US 5922312 A	23-04-1997 31-03-1998 13-07-1999
DE 19727508 A	08-01-1998	WO 9800092 A EP 0909156 A	08-01-1998 21-04-1999
FR 2701844 A	02-09-1994	AU 6040294 A DE 69403070 D DE 69403070 T EP 0686024 A ES 2101511 T WO 9418935 A JP 8506824 T US 5679328 A	14-09-1994 12-06-1997 14-08-1997 13-12-1995 01-07-1997 01-09-1994 23-07-1996 21-10-1997

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

14

Applicant's or agent's file reference CM2038/JB	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416) <b>FOR FURTHER ACTION</b>	
International application No. PCT/US00/04082	International filing date (day/month/year) 17/02/2000	Priority date (day/month/year) 19/02/1999
International Patent Classification (IPC) or national classification and IPC A61K7/48		
Applicant PROCTER & GAMBLE COMPANY et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This REPORT consists of a total of 8 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☒ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand  17/07/2000	Date of completion of this report  13.04.2001
Name and mailing address of the international preliminary examining authority:   European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized officer  Sierra Gonzalez, M  Telephone No. +31 70 340 3751  

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/US00/04082

**I. Basis of the report**

1. This report has been drawn on the basis of *(substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments (Rules 70.16 and 70.17).):*

**Description, pages:**

1-32 as originally filed

**Claims, No.:**

1-16 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):



# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US00/04082

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. Statement

Novelty (N)	Yes:	Claims	11, 13
	No:	Claims	1-10, 12, 14-16
Inventive step (IS)	Yes:	Claims	
	No:	Claims	1-16
Industrial applicability (IA)	Yes:	Claims	1-16
	No:	Claims	

### 2. Citations and explanations see separate sheet

## VI. Certain documents cited

### 1. Certain published documents (Rule 70.10)

and / or

### 2. Non-written disclosures (Rule 70.9)

see separate sheet

## VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:  
see separate sheet

## VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:  
see separate sheet

**Item V.**

**1 CITATIONS**

Reference is made to the following documents:

D1:WO9603967

D2:DE19727508

D3:FR2701844

D4:Abstract of Prompt database (AN:92:300040)

In view of the clarity objections made under item VIII, it is not possible at present to give a complete opinion on novelty and inventive step. However, the following should be taken into account.

**1 NOVELTY (Art. 33(2) PCT)**

- 1.1 D1 discloses leave-on compositions containing PVM/MA decadiene crosspolymer (Stabilize 06), a polymer of a molecular weight greater than 20.000 together with Polyquaternium 4 (cf. examples I, II, III). There is no anionic, zwitterionic or amphoteric surfactant in the composition. Accordingly, the subject-matter of claim 1 is not new.
- 1.2 The technical features of claims 2-3, 5-7, 10, 12, 14 and 16 are also disclosed in examples I, II and III of D1. Therefore, these claims are not novel over D1.
- 1.3 D1 discloses as well that the composition of the examples I, II and III present low on-hand and low on-hair tack effect, due to the combination of the gelling agent (Stabilize 06) and the hair fixative polymer (Polyquaternium 4). See page 10, last paragraph and page 2, second paragraph. Accordingly, the use of a cation containing polymer for reducing levels of tack in a skin care composition comprising a polymeric thickening agent as described in claim 15 is already known in the art

and this claim 15 can not therefore be considered novel.

- 1.4 D2 discloses two leave-on compositions containing a non-ionic thickener of molecular weight greater than 20.000 (Carbopol 940 or Sepigel 305) and a cationic polymer (Jaguar HP120 or Polyquaternium 10) and having less than 4% of lecithin as the only surfactant (cf. examples 4.1 and 4.2). Accordingly, the subject-matter of claim 1 is not new.
- 1.5 The technical features of claims 2-10, 12, 14,16 are also disclosed in examples 4.1 and 4.2 of D2. Therefore, claims 2-10, 12, 14 and 16 are considered not novel over D2.
- 1.6 D3 also discloses a leave-on composition based on a non-ionic thickener (Hydroxypropylmethylcellulose or Hydroxypropylcellulose) and a cationic polymer (Salcare SC92 or Salcare SC95). See examples 6, 10 and 13. There is no anionic, zwitterionic or amphoteric surfactant in the compositions. Thus, claim 1 also lacks novelty over D3.
- 1.7 The technical features of claims 2, 4, 6, 10, 12, 14 and 16 are also disclosed the examples 6, 10 and 3 of D3 and therefore, these claims are not new over D3.
- 1.8 D4 discloses a pearlescent cream rinse containing a high molecular weight cellulose ether thickening agent (Natrosol HEC 250HHR CS) and a cationic polymer (Polyquaternium-17). The composition contains no anionic, zwitterionic or amphoteric surfactant. Accordingly, claim 1 also lacks novelty over D4.
- 1.9 The technical features of claim 2, 4, 6, 7, 10, 12, 14 and 16 are also in the same example of D4. Therefore, this claims also lack novelty over D4.
- 1.10 The present application does not satisfy the criterion set forth in Article 33(2) PCT because the subject-matter of claims 1-10, 12, 14-16 is not new in respect of prior art.

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US00/04082

**2 INVENTIVE STEP (Art. 33(3) PCT)**

- 2.1 As already discussed above, D1 does not only address the same problem that is the provision of compositions showing low levels of tack but also teaches the same solution, that is the use of a combination of a non-ionic or anionic thickening agent of average molecular weight of greater than 20.000 and a cation containing polymer in a composition containing less than 4% of an anionic, zwitterionic or amphoteric surfactant. The technical features of dependent claim 11 seem to be common practice in the art and do not appear to lead to any surprising effect (cf. D2, page 6, line 13) (voir page 16, paragraph 2).
- 2.2 The choice of a particular ratio of cation containing polymer to anionic surfactant like the one of claim 13 is considered to be merely a routine procedure for which the skill person does not exercise any inventive skill.
- 2.2 The present application does therefore not satisfy the criterion set forth in Article 33(3) PCT because the subject-matter of claims 11 and 13 does not involve an inventive step.

**Item VI.**

Certain published documents (Rule 70.10)

Application No Patent No	Publication date (day/month/year)	Filing date (day/month/year)	Priority date (valid claim) (day/month/year)
W0006093	10.02.2000	30.07.1998	30.07.1998

Although WO0006093 (D5) does not constitute prior art within the meaning of Rule 64.1 (b), it appears that D5 discloses all the features of claims 1-8, 10, 12-16. It might therefore be taken into consideration in the regional phase before the EPO.

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT - SEPARATE SHEET**

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International application No. PCT/US00/04082

**Item VII.**

- 1 The relevant background art disclosed in documents D1-D4 should have been mentioned in the description, and these documents identified therein ( Rule 5.1(a)(ii) PCT).
- 2 The word "about" used in claims 6, 10 and 11 should have been removed in light of the PCT/GL/IPE III 4.5.a.
- 3 Any tradename should have been acknowledged as such.
- 4 The specification for an international application should be capable of being understood without reference to any other document (cf PCT Guidelines Ch. II 4.17). The expressions "hereby incorporated by reference" found in the description in pages 7, lines 15, 19, 20, page 19, lines 2-3, page 22, line 22, page 23, line 20, page 29, line 12 should have been deleted.
- 5 There seems to be a mistake in the citation of the document US5103763 in the description (page 3, line 6). It does not disclose a skin care composition but it concerns an apparatus for electrostatic deposition of charged droplets.

**Item VIII.**

- 1 The application does not meet the requirements of Article 6 in combination with Article 5 PCT. The definitions "non-ionic and anionic polymeric thickening agents" as well as "cation containing polymer" encompass a huge number of compounds. However, only one example of "non-ionic and anionic polymeric thickening agents", i.e. Sepigel 305 and two of "cation containing polymer", i.e. Polyquaternium 39 and Polyquaternium 10 are shown in the examples of the description. It would seem that the disclosure of only two examples is insufficient to enable the skilled person to carry out the invention over the whole of the broad field claimed. Furthermore, it is doubtful whether every combination of a/ and b/ as defined in claim 1 could be used as a leave-on cosmetic composition.

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT - SEPARATE SHEET**

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International application No. PCT/US00/04082

- 2      Moreover, the use of the "average molecular weight of greater than 20.000" in the present context is considered to lead a lack of clarity within the meaning of Article 6 PCT, since if no molecular weight data are given in the prior art, it is not possible in many cases to compare the composition of prior art with the claimed composition.

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>CM2038/JB</b>	<b>FOR FURTHER ACTION</b> see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. <b>PCT/US 00/ 04082</b>	International filing date (day/month/year) <b>17/02/2000</b>	(Earliest) Priority Date (day/month/year) <b>19/02/1999</b>
Applicant <b>PROCTER &amp; GAMBLE COMPANY et al.</b>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 5 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

## 1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☒ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

☐ the text is approved as submitted by the applicant.

☒ the text has been established by this Authority to read as follows:

**LEAVE-ON COSMETIC COMPOSITIONS CONTAINING A CATIONIC POLYMER**

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

☐ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

☐ None of the figures.

## FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.2

Claims Nos.: 1-16

Present claims 1-16 relate to an extremely large number of possible compositions: the definitions of "non-ionic or anionic thickening agent" on one hand and "cation containing polymer" encompass a huge number of compounds. Support within the meaning of Article 6 PCT and disclosure within the meaning of Article 5 PCT is to be found, however, for only a very small proportion of the compositions claimed. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. Consequently, the search has been carried out for those parts of the claims which appear to be supported and disclosed, namely examples I to VI with due regard to the general idea underlying the description.

Furthermore, present claims 1-16 relate to a composition defined (inter alia) by the following parameter:

P1: average molecular weight of non-ionic or anionic thickening agent, being greater than 20.000

The use of this parameter in the present context is considered to lead to a lack of clarity within the meaning of Article 6 PCT. It is not always possible to compare the parameter the applicant has chosen to employ with what is set out in the prior art. The lack of clarity is such as to render a meaningful complete search impossible. Consequently, the search has been restricted to compounds mentioned in examples I to VI with due regard to the general idea underlying the description.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.



## INTERNATIONAL SEARCH REPORT

International Application No

PCT 00/04082

**A. CLASSIFICATION OF SUBJECT MATTER**  
IPC 7 A61K7/48

According to International Patent Classification (IPC) or to both national classification and IPC

**B. FIELDS SEARCHED**

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, CHEM ABS Data, WPI Data, PAJ

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
P, X	WO 00 06093 A (MCCANN CHANTELLE MARY ; YOUNG WENDY VICTORIA JANE (GB); MCKELVEY GR) 10 February 2000 (2000-02-10) page 6, last paragraph page 28, last paragraph examples III, IV claims 1, 3, 6 ---	1-8, 10, 12-16
X	WO 96 03967 A (PROCTER & GAMBLE ; JONES STEVEN DAVID (GB); MARCHANT PHILIP JOHN (G) 15 February 1996 (1996-02-15) page 2, paragraph 2 claims 1, 7, 12; examples I, II, III ---	1-7, 10, 12, 14-16
X	DE 197 27 508 A (SCHWARZKOPF GMBH HANS) 8 January 1998 (1998-01-08)  examples 4.1, 4.2 ---	1-3, 5-10, 12, 14, 16
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Further documents are listed in the continuation of box C.



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11 August 2000

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## INTERNATIONAL SEARCH REPORT

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## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

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